

Senate File 224

PAG LIN

SENATE FILE 224

1 1
1 2
1 3 AN ACT
1 4 RELATING TO APPEALS FILED IN CHILD IN NEED OF ASSISTANCE
1 5 AND TERMINATION OF PARENTAL RIGHTS PROCEEDINGS.
1 6
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 8
1 9 Section 1. Section 232.133, subsection 2, Code 2003, is
1 10 amended to read as follows:
1 11 2. Except for appeals from ~~an order~~ final orders entered
1 12 in child in need of assistance proceedings or final orders
1 13 entered pursuant to section 232.117, appellate procedures
1 14 shall be governed by the same provisions applicable to appeals
1 15 from the district court. The supreme court may prescribe
1 16 rules to expedite the resolution of appeals from final orders
1 17 entered in child in need of assistance proceedings or final
1 18 orders entered pursuant to section 232.117.
1 19 Sec. 2. Section 602.4102, subsection 4, Code 2003, is
1 20 amended to read as follows:
1 21 4. A party to an appeal decided by the court of appeals
1 22 may, as a matter of right, file an application with the
1 23 supreme court for further review.
1 24 a. An application for further review in an appeal from a
1 25 child in need of assistance or termination of parental rights
1 26 proceeding shall not be granted by the supreme court unless
1 27 filed within ten days following the filing of the decision of
1 28 the court of appeals.
1 29 b. ~~At~~ In all other cases, an application for further
1 30 review shall not be granted by the supreme court unless the
1 31 application was filed within twenty days following the filing
1 32 of the decision of the court of appeals.
1 33 4A. The court of appeals shall extend the time for filing
1 34 of an application if the court of appeals determines that a
1 35 failure to timely file an application was due to the failure
2 1 of the clerk of the court of appeals to notify the prospective
2 2 applicant of the filing of the decision. If an application
2 3 for further review is not acted upon by the supreme court
2 4 within thirty days after the application was filed, the
2 5 application is deemed denied, the supreme court loses
2 6 jurisdiction, and the decision of the court of appeals is
2 7 conclusive.
2 8
2 9
2 10
2 11 _____
2 12 MARY E. KRAMER
2 13 President of the Senate
2 14
2 15 _____
2 16 CHRISTOPHER C. RANTS
2 17 Speaker of the House
2 18
2 19 I hereby certify that this bill originated in the Senate and
2 20 is known as Senate File 224, Eightieth General Assembly.
2 21
2 22
2 23
2 24 _____
2 25 MICHAEL E. MARSHALL
2 26 Secretary of the Senate
2 27 Approved _____, 2003
2 28
2 29
2 30 _____
2 31 THOMAS J. VILSACK
Governor